

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

NICOLE THOMPSON

Plaintiff,

Case No. 1:19-cv-939

v. .

Hon. Janet T. Neff

SCOTT A. RENNER and  
VELO ASSOCIATES P.L.C.

Defendants.

**JOINT STATEMENT OF MATERIAL FACTS**

1. Plaintiff Nicole Thompson (“Plaintiff”) is a “consumer” and “person” as the terms are defined and used in the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692 *et seq.*
2. Plaintiff is a “consumer” and “debtor” as the terms are defined and used in the Michigan Regulation of Collection Practices Act (“MCPA”), MCL § 445.251 *et seq.*
3. Defendant Velo Associates, P.L.C. (“Velo”) is a Michigan professional limited liability company. Velo uses interstate commerce and the mails in a business, the principle purpose of which is the collection of debts. Velo regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another. Velo is a “debt collector” as the term is defined and used in the FDCPA.
4. Velo is a “regulated person” as the term is defined and used in the MCPA.
5. Defendant Scott A. Renner (“Renner”) uses interstate commerce and the mails in a business, the principle purpose of which is the collection of debts. Renner

regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another. Renner is a “debt collector” as the term is used and defined in the FDCPA.

6. Renner is a “regulated person” as the term is defined and used in the MCPA.
7. Plaintiff incurred a debt or alleged debt to St. Mary’s Hospital (“SMH”) for medical services. The debt allegedly owed by the plaintiff was incurred primarily for personal, family or household purposes and was a “debt” within the meaning of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692a(5).
8. On April 11, 2013, SMH obtained a default judgment against Ms. Thompson in the State of Michigan 61st Judicial District Court (“61<sup>st</sup> District Court”) in Grand Rapids, Michigan (“Judgment”).
9. On January 15, 2019, SMH, by and through Velo, filed a request for periodic garnishment (“Request for Garnishment”) in the 61st District Court as to garnishee defendant, The Ingalls Memorial Hospital (“Ingalls”).
10. Thereafter, on March 14, 2019, the 61st District Court issued a writ of garnishment as to Ingalls (“Writ of Garnishment”). A true and accurate copy of the Writ of Garnishment is attached as Exhibit A.
11. Ingalls is located in the State of Illinois.
12. On or about March 20, 2019, SMH, through Velo, served copies of the Writ of Garnishment, Garnishee Disclosure form, Garnishee Interrogatories, and applicable disclosure fee on Ingalls.
13. On or about April 2, 2019, Ingalls, through MedCentrix, Inc., served a completed Garnishee Disclosure form and responses to SMH’s Garnishee Interrogatories on Velo. True and accurate copies of the completed Garnishee

Disclosure form and Ingalls' Responses to Garnishee Interrogatories are attached as Exhibits B and C, respectively.

14. On or about April 14, 2020, Plaintiff filed an objection to the Writ of Garnishment ("Objection to Garnishment") in the 61st District Court. A true and accurate copy of Plaintiff's Objection to Garnishment is attached as Exhibit D.
15. On May 21, 2019, following a hearing regarding Plaintiff's Objection to Garnishment, the 61<sup>st</sup> District Court sustained Plaintiff's Objection to Garnishment. A true and accurate copy of the Order on Objections to Garnishment ("61<sup>st</sup> District Court Order") is attached as Exhibit E.
16. SMH filed an appeal of the 61<sup>st</sup> District Court Order to the Kent County Circuit Court, which affirmed the decision of the 61<sup>st</sup> District Court. A true and accurate copy of the Opinion and Order is attached as Exhibit F.

Respectfully Submitted,

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Date: July 17, 2020